

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

**MAXWELL KADEL, et al.,**

*Plaintiffs,*

v.

**DALE FOLWELL, et al.,**

*Defendants.*

No. 1:19-cv-272-LCB-LPA

**MOTION TO STRIKE:**

**(1) PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT ON THEIR CONSTITUTIONAL CLAIMS AND SUPPORTING MEMORANDUM / ATTACHMENTS (Doc. Nos. 138-144, 146-151); AND (2) PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT ON THEIR STATUTORY CLAIMS AND SUPPORTING MEMORANDUM / ATTACHMENTS (Doc. Nos. 152-158, 160-165)**

Pursuant to Local Rules 7.3(d)(1), 56.1(c), 83.4(a) and (b), Defendants, the North Carolina State Health Plan for Teachers and State Employees, Dale Folwell (*in his official capacity as State Treasurer of North Carolina*), and Dee Jones (*in her official capacity as Executive Administrator of the State Health Plan*), by and through undersigned counsel, respectfully move the Court to enter an Order striking Document Nos. 138-144, 146-158, and 160-165.

The Plan Defendants' Motion is supported by the accompanying Memorandum, (Doc. No. 169), and an accompanying Motion to Expedite Consideration, (Doc. No. 170).

Respectfully submitted, this the 6<sup>th</sup> day of December, 2021.

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## CERTIFICATE OF SERVICE

I hereby certify that on 6<sup>th</sup> day of December, the foregoing Motion to Strike was filed electronically with the Clerk of Court using the CM/ECF electronic filing system which will send notification of such filing to all registered users.

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